

To: Chairman and members,
Delta Protection Commission

FOR THE RECORD

Comments from the public:

Ernst report #10 to the Delta Protection Commission

September 30, 1993

Sirs:

This Commission was crafted to perform a job for the social termites. A termite eats, cannibalizes the structure it lives in. This Commission was devised to violate the provisions of a government structure of the people, by and for the people.

TO PAINT IN BROAD STROKES: SOVEREIGNTY, JURISDICTIONS, PROPERTY LINES

- 1) NAFTA calls for a simple congressional majority vote to establish a bureaucracy of appointees to manage trade, employment practices, and governance ACROSS the lines of sovereign nations. For example, some new form of court system would be called for. This would be no different than what EEC in Europe is attempting to do.
- 2) NOW federal Office of Management and Budget (OMB) manages, manipulates governance across the boundaries of sovereign states. In California OMB works primarily through the Governor's Office of Planning and Research (OPR) and Calif Dept Education.
- 3) This Commission was craftily drafted to manage county and city affairs across jurisdictional lines from which 13 of its members would initially be appointees. A jurisdictional line defines two elements - 1) an area of sovereignty for those living in it and 2) an aspect of their governance.

NO ELECTIONS PERMITTED OR ALLOWED

The problem for Constitutional government resulting from the destruction of these jurisdictional elements is that electors no longer have an accountable, responsible governance which they can vote on.

You appointees here have basically been drafted to attempt the takeover of policy making from those elected within finite jurisdictions who have been doing that with some form of voter ratification. POLICYMAKING IS WHAT PLANNING IS, especially the kind envisaged by the termites. HERE: No voter ratification process for actions.

This body was primarily established to take over jurisdictional authority from elected, to subvert them. You would define the private use of private property lying within an, as yet not lawfully defined, territory. The Army Corps of Engineers was clear that this body was in the business of regulating land use last April in their presentation to this Commission. You remember, that was the clearly announced "FRAUD!" meeting.

You members come here, are listed mostly for your presence, counted toward a total required for a "policymaking body quorum". For purposes of the termites all that is required is that your body be listed as present, that you show up and be counted as physically present toward that "quorum". No "official" actions supposedly can take place without that. Therefore, just by your presence here, you are participating in the destruction of both California and Federal Constitutional governance.

Eight local government appointees and 4 of 5 of the water district members here were elected by voters of finite jurisdictions to represent them for specified purposes within those boundaries. Only the Governor's six appointees were selected for purposes of this takeover of controls of private property use. Not one of the local elected here can claim this policymaking authority in his elected job specifications.

The your job assignment is to subvert local officials, take over the policymaking for the private land in this territory. The job you will leave for local elected officials will be to enforce and police your virtually unappealable dictates and edicts.

REGIONAL GOVERNMENT: The elected become the police force of the appointees.

YOU APPOINTEES WILL HAVE THE AUTHORITY AND THE ELECTED WILL HAVE THE RESPONSIBILITY!

Respectfully,

Franklin H Ernst Jr

P.O. Box 3009
Vallejo, California 94590
(707) 643-6611

To: Chairman and members,
Delta Protection Commission

FOR THE RECORD

Comments from the public:

Ernst report #11 to the Delta Protection Commission

October 28, 1993

Sirs:

Do minutes of these meetings go to the Board Clerks of the five Counties here?

Attached to this report are 1) my report to the Solano County Board of Supervisors dated 10/26/93 about your anti-public health position and 2) copy my letter to Sheriff Wes Dodd of Contra Costa County dated 10/18/93 about the misleading report of "finding (a) map" last month. No map of Water Code 12220 has been found.

The map of Water Code 12220 is part of any chain of title to the DPZ authority. Even if the Resources Agency, DWR does fake another more recent version of that map, the link of that pre-1960 map is what the Act and Commission are based on.

THRUST OF THIS REPORT

The DELTA PROTECTION COMMISSION is dangerous to human health. Most recent evidence of this was on 9/30/93 when the Commission refused to include within its Planning Procedures the consideration of Public Health matters as being of major concern, as meriting a major heading. At that meeting the "Protection Commission", chose instead to relegate the matter of known major HUMAN communicable disease problems being fostered by the activities and programs of this "Protection Commission" to occasional mention of "vector control" in the body of your "Planning Procedures."

One has to ask "Protection Commission"? Protecting what?

The major vectors of trouble to the Californian's living in the Delta are the 1) the social termites and 2) the mosquitoes whose breeding grounds are being rapidly expanded by actions of these termites.

The "protection" referred to, is more accurately called a "protection racket." Both the Act and the Commission are contemptuous of human health and perhaps also of elected jurisdictional government. This "protection racket" as with any racket is aimed to coercively extort and expropriate large portions of the victim's social and capital assets, and here to also foster spread of known human disease conditions.

As one source only, abundant documentation of the severe dangers to the public health and safety are contained in the 80 plus page booklet put out by the South Sacramento Preservation Council in early 1993. See especially Sections 4, 5, 6 and 7, pages 10-47 of their booklet on the Stone Lake Wildlife Refuge addressing the rapid spread of mosquito borne diseases throughout the entire central valley. Council address: P O Box 43, Hood, CA 95639. Commissioner Mello, I believe, is a member of that Council.

In other words this Commission has been more than adequately informed about the severe dangers your actions are now posing to the people living in the Delta yet your plans continue unchanged. Would not this fit the definition of "conspiracy" in the California Penal Code? What's written, not the interpretations of that code.

This Commission's approach to Public Health and Safety is almost identical to that of the San Francisco Estuary Project in writing its "CCMP" (Comprehensive Conservation Management Plan), ie give lip service to "vector control", avoiding any mention of the words "Public Health and Communicable Diseases."

In your terms, it's "vector control." In mine its termites and mosquito borne diseases. Did you know the AIDS virus has been found in the salivary glands of mosquitoes? Ref: Gene Antonio, Lorraine Day MD, Monteith MD.

In your terms, it's "providers". In mine it's physicians, taxidriviers, technicians.

In your terms, its "public interest." In mine its takings and legislated coercive removal of jurisdictional authority, removal of electors from the governing process.

I am satisfied you have seeded enough members of the San Francisco Estuary Project into your Advisory Councils to guarantee the skewing of their report documents.

Respectfully,

Franklin H Ernst Jr

To: Members
Solano County Board of Supervisors
re: Agenda Item #5: Items from the floor.

FOR THE RECORD

October 26, 1993

From: F H Ernst Jr

On 9/30/93 I attended the Delta Protection "regional government" Commission meeting. At the public hearing on Planning Procedures, although there were more than 15 headings, there was an absence of any heading for health considerations or Public Health matters. I brought up the major health problem that area now faces; the fact of the legislative actions to preserve and expand the large mosquito breeding tracts. The several who live in and around Walnut Grove had that wry smile of confirmation; the heavy clouds of mosquitoes each one of them had to contend with everytime they went out of their house, got into their car or attended to their irrigation lines.

They were told they knew better than anyone the odds for one of them or one of their family getting one of the mosquito borne diseases such as malaria, encephalitis, etc. I asked for Public Health matters to receive a major heading in the planning procedures.

The Commissioners did not laugh at me. They might just as well. Instead it was decided to "seed" health and "vector" considerations through out the plan rather than giving it its own heading. The goal is to reduce the importance of human health considerations. It does not merit a major heading in planning.

I talked mosquitoes and diseases. They talked "vectors" and "spreading out" health considerations. But there was one concession. - It was admitted that the about half the chickens living in the Suisun Marsh area had one of the types of fatal human encephalitis.

There, however, was no change in the planning procedures adopted as a result of the public hearing. With appointed governance the appointees do not have to be responsive to members of the public. Their authority is already secure.

You elected will have the responsibility when an epidemic of one of these diseases gets past the point of the media moguls being able to control the spread of the stories. Delta Protection Commission will go ahead with its own private interpretations of their mission, with regulating your land use matters.

The old brown stuff from the media will fall on you. You, after all, are supposed to be the ones with the County Public Health Service. The Commission will go ahead with its own "wetlands and habitat" programs. The media is not going to be kind to you, to the Commission yes, but not to yourselves. While it may be a fact that you may have been stripped of both the funds and the authority to take care of the mosquito to disease spreading problem, that won't count then.

What can you do?

1) Get some legal counsel that will help you prevent the fact of your becoming the fall guy. Last spring several of us here and several more in correspondence to you across the state attempted to tell you what to do: Don't endorse and agree with your County Counsel's biased views of this regional government being called "constitutional."

2) What one of your agencies has the department of Public Health in it? Get their unbiased assesment if you can.

Respectfully,

Franklin H Ernst Jr

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Deputy Sheriff Wes Dodd
Marine Services Patrol
1980 Muir Rd
Martinez, CA 94553

October 18, 1993

Deputy Dodd,

Good to have talked to you last Friday. Enclosed is set of what I've written and presented to date at the Delta Commission and my certified copy the "Official" map.

I am loaning you here my packet of certified material of the "Official Delta Protection Zones" map from the office of the Secretary of State earlier this year. Could you return materials when satisfied. Thanks.

Reviewing the Act, SB 1866 (copy enclosed), under "definitions" the delta is defined as that area bounded by Water Code 12220. Further on in act the "primary zone" is defined as lying within the boundaries of the delta described in Water Code 12220.

Where the "Delta Protection Zones" map is mentioned, the act refers to that "DPZ" map as describing "precise boundaries." At different commission meetings, members have mentioned several times the "vagueness" of the boundary lines. One said at a meeting the line could be "5 miles one way or another. You can't tell which parcels are in it which are not."

A problem for me from what I've learned from friends in the area, the original of this map appears to have been drawn before 1927. My unpracticed eye found that many features now present are missing on the variously dated 1992 versions given to us.

Comparing this "precise" map with my own experiences, there are now roads on both sides of the Sacto River at Walnut Grove and going both up and down river from there. What year was the second bridge installed at Walnut Grove? Was that 1927? Delta roads I've traveled don't correspond very closely with some of the mapped "roads." Many usually expected map landmarks are missing from this "map."

Deep water channel to Sacramento is close to where one might expect to find it, I think. I-5 freeway is more or less where I would have expected to find it. And so it goes with the "Official Delta Protection Zone" map with its "precise boundaries."

County boundaries, the key to administration of the act, are vague, ill defined, missing. Which county is a location in. Hard, if possible, to read.

I have no idea which islands "mapped" on it are in the actual configurations or locations represented. I don't know which channels shown on the "official map" have been changed since the early years of this century when the original of this appears to have been drawn.

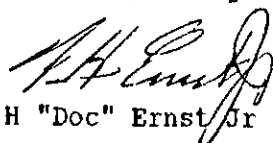
The official "Delta Protection Zone" map contains no references to any authority responsible for drawing the map, just some mystery marks. Deputy Dir Calif Dept Water Resources, Potter, on Commission, agrees the blueprint versions given to us do not actually confirm any Water Code 12220 lines.

The certified copy of the "Official" DPZ map I have loaned you here claims to show Water Code 12220 lines. BUT the official map of Water Code 12220 itself cannot be found by Secty of State office now, has not been seen in years.

The only "official" aspect that I can see to "DPZ" map on file with the Secty of State is that a California Senator told the Secretary of State that it was "official." Its usefulness for representing and identifying actual places and locations is minimal if existent. There is no way to confirm the cartographic authorship, history, Calif Code references or comparative accuracy within the document itself.

What is it called if someone doctors amount on your check? What is it if someone personally "creates" a "missing link" in a chain of title to a piece of land?

Sincerely,


F H "Doc" Ernst Jr